

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 1:30 P.M. Present: Honorable James A. Ardaiz, Acting Presiding Justice; Honorable Herbert I. Levy, Associate Justice; Honorable Dennis A. Cornell, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Rosemary Heredia, Assistant Deputy Clerk.

F042297 Caballero et al. v. Willow Springs International Raceway, Inc. et al.

Cause called and argued by John C. Taylor, Esq., counsel for appellant and by Philip D. Weiss, Esq., counsel for respondent.

Cause ordered submitted.

The court adjourns.

F044014 In re Morgan C., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F044014 **In re Morgan C., a Minor**
The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042882 **Lagier et al. v. Prel**
We conclude the Lagiers' proposed section 17200 petition would not trigger the no contest clause in Mme. Pellissier's trust insofar as the petition seeks a construction of the dispositional language in part 2.2(c) of the trust instrument. Since the trial court's order did not directly address the other three issues raised in the proposed petition, and since these other issues were not before us in this appeal, we express no opinion about whether or not they would trigger the no contest clause.

The order is reversed. The Lagiers are awarded their costs on appeal. Buckley, J.

We concur: Harris, Acting P.J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041764 **People v. Palomino**
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F043031 **People v. Johnson, Jr.**
The above-entitled case is submitted for decision.

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F043031 People v. Johnson, Jr.
The judgment is affirmed.
By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040771 Hernandez v. Gonzalez et al.
F042359 Gonzalez et al. v. Hanford Elementary School District
F042412 Gonzalez v. Hernandez

Pursuant to written stipulation of the parties hereto, IT IS
HEREBY ORDERED that the appeal of Defendant and Appellant,
Hanford Elementary School District, and Plaintiff and Respondent,
Linda K. Gonzalez in Case No. F042359, Kings County Superior
Court No. 98C0031, consolidated with 97C1109, in the above-entitled
action is dismissed. Each party to bear his or her own costs. The
remittitur shall issue forthwith.